

3SHB 1226 - S COMM AMD

By Committee on Government Operations & Elections

ADOPTED AS AMENDED 03/01/06

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 42.17.640 and 2005 c 445 s 11 are each amended to
4 read as follows:

5 (1) The contribution limits in this section apply to:

6 (a) Candidates for state legislative office;

7 (b) Candidates for state office other than state legislative
8 office;

9 (c) Candidates for county office in a county that has over two
10 hundred thousand registered voters;

11 (d) Candidates for special purpose district office if that district
12 is authorized to provide freight and passenger transfer and terminal
13 facilities and that district has over two hundred thousand registered
14 voters;

15 (e) Persons holding an office in (a) through (d) of this subsection
16 against whom recall charges have been filed or to a political committee
17 having the expectation of making expenditures in support of the recall
18 of a person holding the office;

19 (f) Caucus political committees;

20 (g) Bona fide political parties.

21 (2) No person, other than a bona fide political party or a caucus
22 political committee, may make contributions to a candidate for a state
23 legislative office or county office that in the aggregate exceed seven
24 hundred dollars or to a candidate for a public office in a special
25 purpose district or a state office other than a state legislative
26 office that in the aggregate exceed one thousand four hundred dollars
27 for each election in which the candidate is on the ballot or appears as
28 a write-in candidate. Contributions to candidates subject to the
29 limits in this section made with respect to a primary may not be made
30 after the date of the primary. However, contributions to a candidate

1 or a candidate's authorized committee may be made with respect to a
2 primary until thirty days after the primary, subject to the following
3 limitations: (a) The candidate lost the primary; (b) the candidate's
4 authorized committee has insufficient funds to pay debts outstanding as
5 of the date of the primary; and (c) the contributions may only be
6 raised and spent to satisfy the outstanding debt. Contributions to
7 candidates subject to the limits in this section made with respect to
8 a general election may not be made after the final day of the
9 applicable election cycle.

10 ~~((+2))~~ (3) No person, other than a bona fide political party or a
11 caucus political committee, may make contributions to a state official,
12 a county official, or a public official in a special purpose district
13 against whom recall charges have been filed, or to a political
14 committee having the expectation of making expenditures in support of
15 the recall of the state official, county official, or public official
16 in a special purpose district during a recall campaign that in the
17 aggregate exceed seven hundred dollars if for a state legislative
18 office or county office or one thousand four hundred dollars if for a
19 special purpose district office or a state office other than a state
20 legislative office.

21 ~~((+3))~~ (4)(a) Notwithstanding subsection ~~((+1))~~ (2) of this
22 section, no bona fide political party or caucus political committee may
23 make contributions to a candidate during an election cycle that in the
24 aggregate exceed (i) seventy cents multiplied by the number of eligible
25 registered voters in the jurisdiction from which the candidate is
26 elected if the contributor is a caucus political committee or the
27 governing body of a state organization, or (ii) thirty-five cents
28 multiplied by the number of registered voters in the jurisdiction from
29 which the candidate is elected if the contributor is a county central
30 committee or a legislative district committee.

31 (b) No candidate may accept contributions from a county central
32 committee or a legislative district committee during an election cycle
33 that when combined with contributions from other county central
34 committees or legislative district committees would in the aggregate
35 exceed thirty-five cents times the number of registered voters in the
36 jurisdiction from which the candidate is elected.

37 ~~((+4))~~ (5)(a) Notwithstanding subsection ~~((+2))~~ (3) of this
38 section, no bona fide political party or caucus political committee may

1 make contributions to a state official, county official, or a public
2 official in a special purpose district against whom recall charges have
3 been filed, or to a political committee having the expectation of
4 making expenditures in support of the state official, county official,
5 or a public official in a special purpose district during a recall
6 campaign that in the aggregate exceed (i) seventy cents multiplied by
7 the number of eligible registered voters in the jurisdiction entitled
8 to recall the state official if the contributor is a caucus political
9 committee or the governing body of a state organization, or (ii)
10 thirty-five cents multiplied by the number of registered voters in the
11 jurisdiction from which the candidate is elected if the contributor is
12 a county central committee or a legislative district committee.

13 (b) No (~~state~~) official holding an office specified in subsection
14 (1) of this section against whom recall charges have been filed, no
15 authorized committee of the official, and no political committee having
16 the expectation of making expenditures in support of the recall of (~~a~~
17 ~~state~~) the official may accept contributions from a county central
18 committee or a legislative district committee during an election cycle
19 that when combined with contributions from other county central
20 committees or legislative district committees would in the aggregate
21 exceed thirty-five cents multiplied by the number of registered voters
22 in the jurisdiction from which the candidate is elected.

23 (~~(5)~~) (6) For purposes of determining contribution limits under
24 subsections (~~(3) and~~) (4) and (5) of this section, the number of
25 eligible registered voters in a jurisdiction is the number at the time
26 of the most recent general election in the jurisdiction.

27 (~~(6)~~) (7) Notwithstanding subsections (~~(1)~~) (2) through (~~(4)~~)
28 (5) of this section, no person other than an individual, bona fide
29 political party, or caucus political committee may make contributions
30 reportable under this chapter to a caucus political committee that in
31 the aggregate exceed seven hundred dollars in a calendar year or to a
32 bona fide political party that in the aggregate exceed three thousand
33 five hundred dollars in a calendar year. This subsection does not
34 apply to loans made in the ordinary course of business.

35 (~~(7)~~) (8) For the purposes of RCW 42.17.640 through 42.17.790, a
36 contribution to the authorized political committee of a candidate(~~(7)~~)
37 or of (~~a state~~) an official specified in subsection (1) of this

1 section against whom recall charges have been filed(~~(7)~~) is considered
2 to be a contribution to the candidate or (~~(state)~~) official.

3 (~~(8)~~) (9) A contribution received within the twelve-month period
4 after a recall election concerning (~~(a state)~~) an office specified in
5 subsection (1) of this section is considered to be a contribution
6 during that recall campaign if the contribution is used to pay a debt
7 or obligation incurred to influence the outcome of that recall
8 campaign.

9 (~~(9)~~) (10) The contributions allowed by subsection (~~(2)~~) (3) of
10 this section are in addition to those allowed by subsection (~~(1)~~) (2)
11 of this section, and the contributions allowed by subsection (~~(4)~~)
12 (5) of this section are in addition to those allowed by subsection
13 (~~(3)~~) (4) of this section.

14 (~~(10)~~) (11) RCW 42.17.640 through 42.17.790 apply to a special
15 election conducted to fill a vacancy in (~~(a state)~~) an office specified
16 in subsection (1) of this section. However, the contributions made to
17 a candidate or received by a candidate for a primary or special
18 election conducted to fill such a vacancy shall not be counted toward
19 any of the limitations that apply to the candidate or to contributions
20 made to the candidate for any other primary or election.

21 (~~(11)~~) (12) Notwithstanding the other subsections of this
22 section, no corporation or business entity not doing business in
23 Washington state, no labor union with fewer than ten members who reside
24 in Washington state, and no political committee that has not received
25 contributions of ten dollars or more from at least ten persons
26 registered to vote in Washington state during the preceding one hundred
27 eighty days may make contributions reportable under this chapter to a
28 candidate, to a state official against whom recall charges have been
29 filed, or to a political committee having the expectation of making
30 expenditures in support of the recall of the official. This subsection
31 does not apply to loans made in the ordinary course of business.

32 (~~(12)~~) (13) Notwithstanding the other subsections of this
33 section, no county central committee or legislative district committee
34 may make contributions reportable under this chapter to a candidate(~~(7~~
35 ~~state official)~~) specified in subsection (1) of this section, or an
36 official specified in subsection (1) of this section against whom
37 recall charges have been filed, or political committee having the
38 expectation of making expenditures in support of the recall of (~~(a~~

1 state)) an official specified in subsection (1) of this section if the
2 county central committee or legislative district committee is outside
3 of the jurisdiction entitled to elect the candidate or recall the
4 (~~state~~) official.

5 (~~(13)~~) (14) No person may accept contributions that exceed the
6 contribution limitations provided in this section.

7 (~~(14)~~) (15) The following contributions are exempt from the
8 contribution limits of this section:

9 (a) An expenditure or contribution earmarked for voter
10 registration, for absentee ballot information, for precinct caucuses,
11 for get-out-the-vote campaigns, for precinct judges or inspectors, for
12 sample ballots, or for ballot counting, all without promotion of or
13 political advertising for individual candidates; or

14 (b) An expenditure by a political committee for its own internal
15 organization or fund raising without direct association with individual
16 candidates.

17 NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW
18 to read as follows:

19 (1) No person may make contributions to a candidate for judicial
20 office that in the aggregate exceed one thousand four hundred dollars
21 for each election in which the candidate is on the ballot or appears as
22 a write-in candidate. Contributions made with respect to a primary may
23 not be made after the date of the primary. However, contributions to
24 a candidate or a candidate's authorized committee may be made with
25 respect to a primary until thirty days after the primary, subject to
26 the following limitations: (a) The candidate lost the primary; (b) the
27 candidate's authorized committee has insufficient funds to pay debts
28 outstanding as of the date of the primary; and (c) the contributions
29 may only be raised and spent to satisfy the outstanding debt.
30 Contributions made with respect to a general election may not be made
31 after the final day of the applicable election cycle.

32 (2) This section through RCW 42.17.790 apply to a special election
33 conducted to fill a vacancy in an office. However, the contributions
34 made to a candidate or received by a candidate for a primary or special
35 election conducted to fill such a vacancy will not be counted toward
36 any of the limitations that apply to the candidate or to contributions
37 made to the candidate for any other primary or election.

1 (3) No person may accept contributions that exceed the contribution
2 limitations provided in this section.

3 (4) The dollar limits in this section must be adjusted according to
4 RCW 42.17.690.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW
6 to read as follows:

7 The commission shall adopt rules to carry out the policies of this
8 act and is not subject to the time restrictions of RCW 42.17.370(1).

9 **Sec. 4.** RCW 42.17.700 and 1993 c 2 s 10 are each amended to read
10 as follows:

11 (1) Contributions to candidates for state office made and received
12 before December 3, 1992, are considered to be contributions under RCW
13 42.17.640 through 42.17.790. Monetary contributions that exceed the
14 contribution limitations and that have not been spent by the recipient
15 of the contribution by December 3, 1992, must be disposed of in
16 accordance with RCW 42.17.095.

17 (2) Contributions to other candidates subject to the contribution
18 limits of this chapter made and received before the effective date of
19 this act are considered to be contributions under RCW 42.17.640 through
20 42.17.790. Contributions that exceed the contribution limitations and
21 that have not been spent by the recipient of the contribution by the
22 effective date of this act must be disposed of in accordance with RCW
23 42.17.095 except for subsections (6) and (7) of that section.

24 **Sec. 5.** RCW 42.17.710 and 2003 c 164 s 3 are each amended to read
25 as follows:

26 (1) During the period beginning on the thirtieth day before the
27 date a regular legislative session convenes and continuing thirty days
28 past the date of final adjournment, and during the period beginning on
29 the date a special legislative session convenes and continuing through
30 the date that session adjourns, no state official or a person employed
31 by or acting on behalf of a state official or state legislator may
32 solicit or accept contributions to a public office fund, to a candidate
33 or authorized committee, or to retire a campaign debt. Contributions
34 received through the mail after the thirtieth day before a regular

1 legislative session may be accepted if the contribution is postmarked
2 prior to the thirtieth day before the session.

3 (2) This section does not apply to activities authorized in RCW
4 43.07.370.

5 **Sec. 6.** RCW 42.17.093 and 2003 c 123 s 2 are each amended to read
6 as follows:

7 (1) An out-of-state political committee organized for the purpose
8 of supporting or opposing candidates or ballot propositions in another
9 state that is not otherwise required to report under RCW 42.17.040
10 through 42.17.090 shall report as required in this section when it
11 makes an expenditure supporting or opposing a Washington state
12 candidate or political committee. The committee shall file with the
13 commission a statement disclosing:

14 (a) Its name and address;

15 (b) The purposes of the out-of-state committee;

16 (c) The names, addresses, and titles of its officers or, if it has
17 no officers, the names, addresses, and the titles of its responsible
18 leaders;

19 (d) The name, office sought, and party affiliation of each
20 candidate in the state of Washington whom the out-of-state committee is
21 supporting or opposing and, if such committee is supporting or opposing
22 the entire ticket of any party, the name of the party;

23 (e) The ballot proposition supported or opposed in the state of
24 Washington, if any, and whether such committee is in favor of or
25 opposed to such proposition;

26 (f) The name and address of each person residing in the state of
27 Washington or corporation which has a place of business in the state of
28 Washington who has made one or more contributions in the aggregate of
29 more than twenty-five dollars to the out-of-state committee during the
30 current calendar year, together with the money value and date of such
31 contributions;

32 (g) The name, address, and employer of each person or corporation
33 residing outside the state of Washington who has made one or more
34 contributions in the aggregate of more than two thousand five hundred
35 dollars to the out-of-state committee during the current calendar year,
36 together with the money value and date of such contributions.
37 Annually, the commission must modify the two thousand five hundred

1 dollar limit in this subsection based on percentage change in the
2 implicit price deflator for personal consumption expenditures for the
3 United States as published for the most recent twelve-month period by
4 the bureau of economic analysis of the federal department of commerce;

5 (h) The name and address of each person in the state of Washington
6 to whom an expenditure was made by the out-of-state committee with
7 respect to a candidate or political committee in the aggregate amount
8 of more than fifty dollars, the amount, date, and purpose of such
9 expenditure, and the total sum of such expenditures; and

10 ~~((h))~~ (i) Such other information as the commission may prescribe
11 by rule in keeping with the policies and purposes of this chapter.

12 (2) Each statement shall be filed no later than the ~~((twentieth))~~
13 tenth day of the month following any month in which a contribution or
14 other expenditure reportable under subsection (1) of this section is
15 made. An out-of-state committee incurring an obligation to file
16 additional statements in a calendar year may satisfy the obligation by
17 timely filing reports that supplement previously filed information.

18 ~~((3) A political committee required to file campaign reports with~~
19 ~~the federal election commission or its successor is exempt from~~
20 ~~reporting under this section.))~~

21 NEW SECTION. Sec. 7. If any provision of this act or its
22 application to any person or circumstance is held invalid, the
23 remainder of the act or the application of the provision to other
24 persons or circumstances is not affected."

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25 On page 1, line 1 of the title, after "limits;" strike the
26 remainder of the title and insert "amending RCW 42.17.640, 42.17.700,
27 42.17.710, and 42.17.093; and adding new sections to chapter 42.17
28 RCW."

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